

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**ROBERT JAGER doing business as  
ROBERT JAGER EQUIPMENT CO.,**

**Plaintiff,**

**v.**

**FLEET MANAGEMENT ROAD  
SERVICE, et al.,**

**Defendants.**

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**Civil Action No. 14-8130 (KM)**

**ORDER**

This matter having come before the Court by way of Plaintiff's motion for entry of default [D.E. 10];

and it appearing that Plaintiff served the Summons and Complaint upon Defendants Fleet Management Road Service ("Fleet") and J&M Towing ("J&M") in July of 2015 [D.E. 5];

and it further appearing that Defendants Fleet and J&M have failed to answer or otherwise respond to Plaintiff's Complaint;

and the Court having issued a Second Order to Show Cause on February 10, 2016 [D.E. 8] directing Plaintiff to move for entry of default and move for default judgment as to Defendants Fleet and J&M or to show cause in writing why Plaintiff's Complaint should not be dismissed without prejudice;

and Plaintiff having responded to the Court's February 10, 2016 Order to Show Cause by filing the instant motion;

and the Court having considered Plaintiff's submission, the record, and applicable law;

and Federal Rule of Civil Procedure 55(a) providing that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default,”

and for good cause shown;

**IT IS on this 31st day of March, 2016,**

**ORDERED** that Plaintiff’s motion for entry of default [D.E. 10] is hereby granted;<sup>1</sup> and it is further

**ORDERED** that default shall be entered against Defendants Fleet Management Road Service and J&M Towing for failure to answer or otherwise respond to the Complaint, pursuant to Federal Rule of Civil Procedure 55(a).

**s/ Michael A. Hammer**  
**United States Magistrate Judge**

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<sup>1</sup> To be clear, the Court notes that to the extent Plaintiff is looking for default judgment, such a request is denied without prejudice to Plaintiff making a formal motion with the appropriate proofs.